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Erhalten
17. MAI 2004
Strehl et al.



Application No. 00 909 958.1 - 2201	Ref. EPA-38958	Date 14.05.2004
Applicant DISCOVERY COMMUNICATIONS, INC.		

tl: 24. Sept 04
bl: 24. Aug 04

Communication pursuant to Article 96(2) EPC

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

of 4 months

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).



SCHNEIDER M F
Primary Examiner
for the Examining Division

Enclosure(s): 2 page/s reasons (Form 2906)



Bescheld/Protokoll (Anlage)

Datum
Date
Date 14.05.2004

Communication/Minutes (Annex)

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Notification/Procès-verbal (Annexe)

Anmeld-Nr.:
Application No.: 00 909 958.1
Demande n°:

The examination is being carried out on the **following application documents:**

Text for the Contracting States:

AT BE CH LI CY DE DK ES FI FR GB GR IE IT LU MC NL PT SE

Description, pages:

1-50 as received on 06.08.2001 with letter of 19.07.2001

Claims, No.:

2-17,19-33, as received on 06.08.2001 with letter of 19.07.2001
35-43

1,18,34 as received on 26.05.2003 with letter of 23.05.2003

Drawings, sheets:

1-34 as received on 06.08.2001 with letter of 19.07.2001

The following document/s (D) is/are referred to in this communication; the numbering will be adhered to in the rest of the procedure:

D1: WO 9745798 (04.12.1997)

The document/s D1 is/are cited by the examiner (see the Guidelines, C-VI, 8.9). A copy/Copies of the document/s is/are annexed to the communication.

1. The subject matter of claim 1 is not inventive in the sense of Article 56 EPC.

(i) The features of the electronic book and its components, corresponding to lines 1-5 of the present claim 1, seem not to be new and inventive in view of the document cited in the search report (s. previous communications).



Bescheid/Protokoll (Anlage)

Communication/Minutes (Annex)

Notification/Procès-verbal (Annexe)

Datum
Date
Date
14.05.2004

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Anmelde-Nr.:
Application No.: 00 909 958.1
Demande n°:

(ii) With the letter of 26 May 2003 independent claim 1 has been amended to include the features

that the components of the electronic book are

- placed on a video signal to form a composite video signal,
- distributed as a composite video signal,
- received as a composite video signal, and

that, at the receiving side, the components of the electronic book are extracted from the composite video signal.

Thus, apparently, the only question to consider is whether the inclusion of these features is sufficient to render the subject matter of claim 1 new and inventive, i.e. whether it is new and inventive to distribute the components of the electronic book as a composite video signal and not, e.g., via ethernet or a wireless telecommunication system.

However, the features of the claimed particular way of distributing the electronic book are obvious from D1, page 1, lines 11-28, in particular lines 24-28, stating that bidirectional communication in a network can occur via cable TV wires, i.e. in form of video signals.

2. The further claims do not appear to contain any additional features which meet the requirements of the EPC with respect to novelty and inventive step.

3. Further remarks and certain defects in the application

It is not at present apparent which part of the application could serve as a basis for a new, allowable claim. Instead, refusal of the application under Article 97(1) EPC is to be expected.